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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/808,326	03/14/2001	Gregory L. Hobson	7889	3856

1688	7590	07/01/2005

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EXAMINER
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ART UNIT	PAPER NUMBER
2613	

DATE MAILED: 07/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _____.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17,24-33 and 36-40* is/are pending in the application.

4a) Of the above claim(s) *18-23* is/are withdrawn from consideration.

5)☒ Claim(s) *7-10 and 27* is/are allowed.

6)☒ Claim(s) *1-6,11-17,24-26,28-33 and 36-40* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *14 March 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All   b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1.   Claims 18-23 are withdrawn from further consideration pursuant to 37 CFR

1.142(b), as being drawn to a nonelected invention, there being no allowable generic or

linking claim. Applicant timely traversed the restriction (election) requirement in the reply

in the telephone interview on 7/2/2004. Applicant is reminded that the above withdrawn

claims need to be cancelled before case can be allowed.

Response to Arguments

2.   Applicant's arguments with respect to claims 1-6, 11-17, 24-26, 28-32 have been

considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3.   Claims 1-3, 24-25, 28 and 34 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Winter et al, in view of Logan et al and further in view of Seeley et al

(US 6,069,655) (all are cited by the applicants).

As applied to the *35 USC § 103* rejection as being unpatentable over Winter et

al, in view of Logan et al with regard to claims 1-3, 24-25, 28 and 34 of the previous

Office Action mailed on 7/2/2005 and with regard to the applicant's newly added

limitations of claims 1, 24 and 28 of "each of the video images comprising a plurality of

pixel elements" and "the processor configured to compress and store those video

images which differ from the reference frame". Seeley et al teaches that each of the

video images comprising a plurality of pixel element (col. 12, ln. 58-66) and when the

processing performed by processor 30 indicates the presence of an intruder, SCU 12

performs a number of tasks. First, the SCU acquires and stores a full resolution

"snapshot" X of the event. That is, the snapshot comprises a full frame of video taken

from a camera observing the scene where the intrusion has occurred (col. 12, ln. 58-

64). And therefor, it would have been obvious to one of ordinary skilled in the art at the

time the invention was made to modify the combination of Winter et al, in view of Logan

et al by storing the full frame of video as taught by Seeley et al. Doing so would help

security officers to arrest and prosecute intruders and thieves.

With regard to claims 4, 11-17 and 29-33 which were rejected under 35 U.S.C. 103(a)

as being unpatentable over Winter et al, in view of Logan, and further in view of Seeley

et al in the previous Office Action mailed 7/2/2005. Since Seeley et al further teaches

newly added limitations of independent claims 1, 24, and 28, claims 4, 11-17 and 29-33

are also rejected on the same ground as in the previous Office Action.

Claims 5-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Winter et al,

in view of Logan, and Seeley et al (all are cited by the applicants), and further in view of

Hazra (US 6,414,994). Since Seeley et al further teaches newly added limitations of

independent claim 1, claims 5-6 are also rejected on the same ground as in the

previous Office Action.

4.   Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Winter

et al, in view of Logan et al, and Seeley et al and further in view of Burt et al (US 5, 999,

662). Since Seeley et al further teaches newly added limitations of independent claim

24, claim 26 are also rejected on the same ground as in the previous Office Action.

5.   Claims 36-37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Wooten et al 1, in view of Wooten et al 2 (US 5,937,092).

Wootton et al 1 discloses a low false alarm rate detection for a video image

processing based security alarm system comprising the same digital video recording

system comprises a camera directed at a scene of interest to view the scene and to

continuously generate a plurality of video images thereof (fig. 1, el. C1); an image

processor configured to compare the video images generated by the camera with

previously establish reference image of the scene to identify the occurrence of a change

in the scene (col. 6, ln. 55-61); a memory associated with the image processor, the

memory configured to store video image data; and wherein the image processor is

further configured to select and store the previously established reference video image

in the memory (col. 4, ln. 4, ln. 50-52), and wherein the image processor is further

configured to store, in the memory, video image data representative of identified

changes in the scene (fig. 8 and col. 5, ln. 35-38, 62-65) ; each of the video image is

composed of a plurality of pixels, and wherein the video image data representative of

identified changes in the scene includes at least on changed block of pixels from a

video image together with a reference image associated block map (col. 3, ln. 17-37

and col. 7, ln. 20-65) as specified in claim 36. It is noted that Wooten et al I does not

particularly disclose that the reference image associated block map consists of at least

one binary representation of a corresponding pixel block comprising a video image, a

first binary representation indicating an unchanged pixel block, and a second binary

representation indicating a changed pixel block. However, Wootten et al 1 further

discloses that the method to <u>mask</u> those areas wherein movements within those areas will be disregarded and not sensed as an anomaly requiring processing to determine if a human intruder is present and then Wootten et al 2 teaches "the edge mapping method shows undue dependence on light changes because typical edge <u>masks</u> use absolute differences in pixel values. Light changes can cause new edges to appear, or old ones to disappear, in a <u>binary</u> **edge map** even through there is no intervening object. And therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made to modify the system of Wootten et al 1, by using binary map to mask <u>mask</u> those areas wherein movements within those areas will be disregarded and not sensed as an anomaly requiring processing to determine if a human intruder is present. Doing so would help to simplify the masking process since there are only 2 states and it would be best to use binary map.

With regard to claim 40: Wootton et al 1 also discloses if the motion of an intruder overlap a masked area, the difference from one image to another is identified and further processing, including the normal masked area takes place (col. 5, ln. 35-38). Therefore, it would have been obvious to one of ordinary skilled in the art at the time the invention was made, while processing the difference from one image to another including the normal masked area (areas will be disregarded and not sensed = reference image), to reconstruct the video image of a changed scene by combining both of a masked area and processing the difference from one image to another. Doing so would help to restore important video frames with show possible intruders for later judicial process.

6.   Claim 38 is rejected under 35 U.S.C. 103(a) as being unpatentable over

Wootton et al 1, in view of Wooten et al 2 (US 5,937,092) and further in view of Adiletta

et al.

         As applied to claim 36 above, it is noted that the combination of Wootton et al 1,

and Wootten et al 2 does not particularly disclose video image data representative of

identified changes is compressed prior to storage. Adiletta et al teaches identified

changes between successive frames are calculated and compressed to save bandwidth

(col. 11, ln. 30-44). Therefore, it would have been obvious to one of ordinary skilled in

the art at the time the invention was made to modify the system of Wootton et al, by

applying the teaching of Adiletta et al to perform the image analysis. Doing so would

help to detect changes between successive images and save storage.

7.   Claim 39 is rejected under 35 U.S.C. 103(a) as being unpatentable over Wootton

et al 1, in view of Wooten et al 2 (US 5,937,092) and further in view of Dozier et al (US

5, 751,346).

         As applied to claim 36 above, it is noted that Wootton et al 1, and Wootten et al 2

does not particularly disclose the video image representative of identified changes

includes transaction identification information as specified in claim 39. Dozier et al

teaches that it is highly desirable in a banking operation to have an image saved which

shows the person who made a customer transaction so that at a later time there can be

a verification of whether this transaction occurred and an image to verify the identity of

the person who made the transaction. And since Wootton et al does want to identify

and further process the difference from one image to another. Therefore, it would have

been obvious to one of ordinary skilled in the art at the time the invention was made, having both of these references for reviewing, would be motivated to modify the system of Wootton et al by recording and saving with an identified changed portions, information indicating a customer transaction so that at a later time there can be a verification of whether this transaction occurred and an image to verify the identity of the person who made the transaction.

8.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nhon T. Diep whose telephone number is 571-272-7328. The examiner can normally be reached on m-f.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on 571-272-7331. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

ND
6/27/2005

NHON DIEP
PRIMARY EXAMINER